

**Introduced by Senator Hancock**

February 23, 2009

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An act to add Section 65089.20 to the Government Code, and to add Section 9250.4 to the Vehicle Code, relating to traffic congestion.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 205, as introduced, Hancock. Traffic congestion: motor vehicle registration fees.

Existing law provides for the imposition by certain districts and local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles for specific limited purposes.

The bill would authorize a countywide transportation planning agency, by a majority vote of the agency's board, to impose an annual fee of up to \$10 on motor vehicles registered within the county for programs and projects for certain purposes. The bill would require voter approval of the measure. The bill would require the department, if requested, to collect the additional fee and distribute the net revenues to the agency, after deduction of specified costs, and would limit the agency's administrative costs to not more than 5% of the distributed fees. The bill would require that the fees collected may only be used to pay for programs and projects bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would require the agency's board to make a specified finding of fact in that regard. The bill would require the governing board of the countywide transportation planning agency to adopt a specified expenditure plan.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3     (1) Motor vehicle congestion negatively impacts businesses and  
4 commuters, inhibits the efficient movement of goods, and elevates  
5 pollutants that impact the quality of the state's air.

6     (2) There are transportation improvements that will reduce  
7 congestion, including those that improve signal coordination,  
8 traveler information systems, intelligent transportation systems,  
9 highway operational improvements, and public transit service  
10 expansions.

11     (3) There are measures available to lessen the impact of motor  
12 vehicle-related pollution, including congestion management  
13 programs, stormwater runoff best management practices, and  
14 transportation control measures aimed at reducing air pollution.

15     (b) It is the intent of the Legislature to establish a program that  
16 allows countywide transportation planning agencies or their  
17 counterparts to address congestion through transportation services  
18 and improvements and to mitigate the impacts of motor vehicles  
19 on air and water quality, and improve the business climate and  
20 natural environment.

21     SEC. 2. Section 65089.20 is added to the Government Code,  
22 to read:

23     65089.20. (a) A countywide transportation planning agency  
24 may place a majority vote ballot measure before the voters of the  
25 county to authorize an increase in the fees of motor vehicle  
26 registration in the county for transportation-related projects and  
27 programs described in this chapter. The agency may impose an  
28 additional fee of up to ten dollars (\$10) on each motor vehicle  
29 registered within the county. The ballot measure resolution shall  
30 be adopted by a majority vote of the governing board of the  
31 countywide transportation planning agency at a noticed public  
32 hearing. The resolution shall also contain a finding of fact that the  
33 projects and programs to be funded by the fee increase have a  
34 relationship or benefit to the persons who will be paying the fee.  
35 The finding of fact shall require a majority vote of the governing  
36 board at a noticed public hearing.

37     (b) The ballot measure described in subdivision (a) shall be  
38 submitted to the voters of the county and if approved by the voters

1 in the county, the increased fee shall apply to the original vehicle  
2 registration occurring on or after six months following the adoption  
3 of the measure by the voters and to a renewal of registration with  
4 an expiration date on or after that six-month period.

5 (c) (1) The governing board of the countywide transportation  
6 planning agency shall adopt an expenditure plan allocating the  
7 revenue to transportation-related programs and projects that have  
8 a relationship or benefit to the persons that pay the fee. The  
9 transportation-related programs and projects include, but are not  
10 limited to, programs and projects that have the following purposes:

11 (A) Providing matching funds for funding made available for  
12 transportation programs and projects from state general obligation  
13 bonds.

14 (B) Creating or sustaining congestion mitigation programs and  
15 projects.

16 (C) Creating or sustaining pollution mitigation programs and  
17 projects.

18 (2) For the purposes of paragraph (1), the following terms have  
19 the following meanings:

20 (A) “Congestion mitigation programs and projects” include, but  
21 are not limited to, programs and projects identified in an adopted  
22 congestion management program or county transportation plan;  
23 projects and programs to manage congestion, including, for  
24 example, high-occupancy vehicle or high-occupancy toll lanes;  
25 improved transit services through the use of technology and bicycle  
26 and pedestrian improvements; improved signal coordination,  
27 traveler information systems, highway operational improvements,  
28 and local street and road rehabilitation; and transit service  
29 expansion.

30 (B) “Pollution mitigation programs and projects” include, but  
31 are not limited to, programs and projects carried out by a  
32 congestion management agency, a regional water quality control  
33 board, an air pollution control district, an air quality management  
34 district, or another public agency that is carrying out the adopted  
35 plan of a congestion management agency, a regional water quality  
36 control board, an air pollution control district, or an air quality  
37 management district.

38 (d) Not more than 5 percent of the fees distributed to a  
39 countywide transportation planning agency shall be used for  
40 administrative costs associated with the programs and projects.

1 SEC. 3. Section 9250.4 is added to the Vehicle Code, to read:

2 9250.4. (a) The department shall, if requested by a countywide  
3 transportation planning agency, collect the fee imposed pursuant  
4 to Section 65089.20 of the Government Code upon the registration  
5 or renewal of registration of a motor vehicle registered in the  
6 county, except those vehicles that are expressly exempted under  
7 this code from the payment of registration fees.

8 (b) The countywide transportation planning agency shall pay  
9 for the initial setup and programming costs identified by the  
10 department through a direct contract with the department. Any  
11 direct contract payment by the board shall be repaid, with no  
12 restriction on the funds, to the countywide transportation planning  
13 agency as part of the initial revenues available for distribution.

14 (c) (1) After deducting all costs incurred pursuant to this section,  
15 the department shall distribute the net revenues pursuant to  
16 subdivision (a) of Section 65089.20 of the Government Code.

17 (2) The costs deducted under paragraph (1) shall not be counted  
18 against the 5-percent administrative cost limit specified in  
19 subdivision (d) of Section 65089.20 of the Government Code.